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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

RENO MAY, an individual; ANTHONY
 MIRANDA, an individual; ERIC HANS,
 an individual; GARY BRENNAN, an
 individual; OSCAR A. BARRETTO, JR.,
 an individual; ISABELLE R.
 BARRETTO, an individual; BARRY
 BAHRAMI, an individual; PETE
 STEPHENSON, an individual; ANDREW
 HARMS, an individual; JOSE FLORES,
 an individual; DR. SHELDON HOUGH,
 DDS, an individual; SECOND
 AMENDMENT FOUNDATION; GUN
 OWNERS OF AMERICA; GUN
 OWNERS FOUNDATION; GUN
 OWNERS OF CALIFORNIA, INC.; THE
 LIBERAL GUN CLUB, INC.; and
 CALIFORNIA RIFLE & PISTOL
 ASSOCIATION, INCORPORATED,

Plaintiffs,

v.

ROBERT BONTA, in his official capacity
 as Attorney General of the State of
 California, and DOES 1-10,

Defendants.

Case No.: 8:23-cv-01696 CJC (ADSx)

**EVIDENTIARY OBJECTIONS OF
 PLAINTIFFS TO DECLARATION
 OF HOLLY BREWER FILED IN
 SUPPORT OF DEFENDANT'S
 OPPOSITION TO MOTION FOR
 PRELIMINARY INJUNCTION**

Hearing Date:	December 20, 2023
Hearing Time:	1:30 p.m.
Courtroom:	9 B
Judge:	Hon. Cormac J. Carney

TO THIS HONORABLE COURT:

Plaintiffs Reno May, Anthony Miranda, Eric Hans, Gary Brennan, Oscar A. Barretto, Jr., Isabelle R. Barretto, Barry Bahrami, Pete Stephenson, Andrew Harms, Jose Flores, Dr. Sheldon Hough, DDS, The Second Amendment Foundation, Gun Owners of America, Inc., Gun Owners of California, Inc., The Liberal Gun Club, Inc., and California Rifle & Pistol Association, Incorporated, hereby jointly object, pursuant to Fed. R. Evid. 401, 402, 403, 601, 702, 703, and 704, to the Declaration of Holly Brewer lodged by Defendant in support of his Brief in Opposition to Plaintiffs' Motion for Preliminary Injunction. These objections are raised on the following grounds and as to the following matters contained within the declaration:

1. Objection to Paragraph 10:

Relevance/Improper Expert Opinion. The declarant makes legal argument and opines on legal questions that are for the trier of fact to decide and not a proper subject of expert opinion.

Relevance. Facts and opinions as the existence of and historical operation of "sensitive places," without any discussion or citation to firearms laws or regulations applicable to such hospitals during the relevant analogical period, are not relevant to the evidence of Founding through Reconstruction historical analogues that governments must produce to show a history and tradition of firearms regulation. *See New York State Rifle & Pistol Ass'n v. Bruen*, 597 U.S. ___, 142 S. Ct. 2111, 2137, 2153-54 (2022).

2. Objection to Paragraphs 11-21:

Relevance. Facts and opinions as the existence of and historical operation of museums, libraries, playgrounds, zoos, sporting events and amusement parks, without any discussion or citation to firearms laws or regulations applicable to such hospitals during the relevant analogical period, are not relevant to the evidence of Founding through Reconstruction historical analogues that governments must produce to show a history and tradition of firearms regulation.

3. Objection to Paragraph 22:

Foundation. There is no citation to facts or sources provided to support the opinion expressed by the declarant that “These policies were implemented for the maintenance of public safety.”

Relevance. The declarant’s speculation as to why hospitals did not have rules during the relevant analogical period barring the carry of firearms in them is not relevant to the evidence of Founding through Reconstruction historical analogues that governments must produce to show a history and tradition of firearms regulation.

4. Objection to Paragraph 23:

Foundation. There is no citation to facts or sources provided to support the opinion expressed by the declarant that “firearm regulations often did exist” at public schools.

Relevance. The declarant’s speculative opinion as to the existence of firearm regulations at public schools, lacking any discussion of whether such regulations were numerous enough to not be outliers, or were implemented during the relevant analogical period, do not allow this court to determine whether such an opinion is evidence of Founding through Reconstruction historical analogues that governments must produce to show a history and tradition of firearms regulation.

For the reasons set forth above, the court should strike or disregard the declaration in its entirety in ruling on Plaintiffs’ motion, or, in the alternative, strike and disregard those identified opinions.

Dated: November 20, 2023

MICHEL & ASSOCIATES, P.C.

/s/ C.D. Michel

C.D. Michel

Counsel for Plaintiffs

Dated: November 20, 2023

LAW OFFICES OF DON KILMER

/s/ Don Kilmer

Don Kilmer
Counsel for Plaintiff The Second Amendment
Foundation

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CERTIFICATE OF SERVICE
IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case Name: *May, et al. v. Bonta*
Case No.: 8:23-cv-01696 CJC (ADSx)

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

I am not a party to the above-entitled action. I have caused service of:

**EVIDENTIARY OBJECTIONS OF PLAINTIFFS TO DECLARATION OF
HOLLY BREWER FILED IN SUPPORT OF DEFENDANT'S OPPOSITION
TO MOTION FOR PRELIMINARY INJUNCTION**

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Robert L. Meyerhoff, Deputy Attorney General
California Department of Justice
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
Email: Robert.Meyerhoff@doj.ca.gov
Attorney for Defendant

I declare under penalty of perjury that the foregoing is true and correct.

Executed November 20, 2023.


Christina Castron